



JUDICIAL COUNCIL OF CALIFORNIA

RULES AND PROJECTS
COMMITTEE

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RULES AND PROJECTS COMMITTEE

OPEN MEETING AGENDA

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1))

THIS MEETING IS BEING RECORDED

Date: Thursday, April 5, 2018
Time: 12:10 a.m. to 2:10 p.m.
Location: Conference Call
Public Call-In Number 1-877-820-7831/Listen Only Passcode:8083403

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

II. DISCUSSION AND POSSIBLE ACTION ITEMS

JUDICIAL ADMINISTRATION

Item 01-(Deferred)

Judicial Administration: Change to Advisory Committee Membership Requirements (amend rule 10.64) (Action required – approval for circulation)

Presenter: Lucy Fogarty

Item 02

Judicial Administration: New rule of court for inclusion in Title 1 (adopt rule) (Action required – approval for circulation)

Presenter: Diana Glick

Item 40

Jury Service: Permanent Medical Excuse (adopt Cal. Rules of Court, rule 2.1009) (Action required – approval for circulation for comment)

Presenter: Daniel Pone

APPELLATE

Item 03

Appellate Procedure: Finality of Appellate Division Decisions (amend rules 8.887, 8.888, 8.889, 8.935, 8.976, and 8.1005) (Action required – approval for circulation for comment)

Presenter: Sarah Abbott

Item 04

Appellate Procedure and Family Law: Settled Statements in Unlimited Civil Cases (approve forms APP-014A, APP-014-INFO, APP-020, APP-022, APP-025; revise forms APP-003, APP-010; revoke form APP-001 and replace with APP-001-INFO; revoke form APP-014 and replace with APP-014) (Action required – approval for circulation for comment)

Presenter: Gabrielle Selden and Christy Simons

Item 05

Appellate Procedure: Notice of Appeal and Record on Appeal in Appellate Division Cases (revise forms APP-102, APP-110, CR-132, CR-134, and CR-142) (Action required – approval for circulation for comment)

Presenter: Christy Simons

Item 06

Appellate Procedure: Electronic Sealed and Confidential Records and Lodged Records in the Court of Appeal (amend, rules 8.45, 8.46, and 8.47) (Action required – approval for circulation for comment)

Presenter: Ingrid Leverett

CIVIL

Item 07

Civil Forms: Gender Discrimination Notice (adopt GDC-001) (Action required – approval for circulation for comment)

Presenters: Susan McMullan

Item 08

Civil Forms: Declarations of Demurring or Moving Party Regarding Meet and Confer (revise forms CIV-140 and CIV-141) (Action required – approval for circulation for comment)

Presenters: Susan McMullan

Item 09

Civil Practice and Procedure: Review of Denial of Request to Remove Name From Shared Gang Database (amend rule 3.2300; revise form MC-1000) (Action required – approval for circulation for comment)

Presenters: Susan McMullan

Item 10

Civil Forms: Confidential Information Form Under Civil Code § 1708.85 (revise form MC-125) (Action required – approval for circulation for comment)

Presenters: Sarah Abbott

Item 11

Judicial Council Sponsored Legislation: Limited Civil Cases: Legislative Amendments Reflecting Recommendations of Futures Commission and one Rule of Court (amend rule) ((Action required – approval for circulation for comment)

Presenters: Anne Ronan

CRIMINAL

Item 12

Criminal Procedure: Multicounty Incarceration and Supervision (amend rule 4.452) (Action required – approval for circulation for comment)

Presenter: Kimberly DaSilva

Item 13

Criminal Procedure: Petition for Writ of Habeas Corpus (revise form MC-275) (Action required – approval for circulation for comment)

Presenter: Kimberly DaSilva

Item 14

Criminal Justice Realignment: Petition and Order for Dismissal (revise forms CR-180 and CR-181) (Action required – approval for circulation for comment)

Presenter: Eve Hershcopf

Item 15

Criminal Procedure: Procedure to petition for vacating conviction (human trafficking victim) (approve forms CR-407, CR-408) (Action required – approval for circulation for comment)

Presenter: Eve Hershcopf

Item 16

Criminal Procedure: Confidentiality of Court-Appointed Experts' Reports in Mental Competency Proceedings (amend rule 4.130) (Action required – approval for circulation for comment)

Presenter Eve Hershcopf

Item 17

Criminal Procedure: Determination of Probable Cause Under Penal Code section 1368.1(a)(2) (adopt rule 4.131) (Action required – approval for circulation for comment)

Presenter: Eve Hershcopf

Item 18

Criminal Procedure: Judicial Council Forms for a Dismissal of a Conviction of a Violation of Penal Code Section 647f (approve forms CR-404 and CR-405) (Action required – approval for circulation for comment)

Presenter: Eve Hershcopf

Item 19

Criminal Procedure: Petition to Seal Arrest and Related Records (approve forms CR-409, CR-409-INFO, and CR-410) (Action required – approval for circulation for comment)

Presenter: Eve Hershcopf

FAMILY AND JUVENILE

Item 20

Family Law: Changes to Continuance Rule and Forms (amend rule 5.94; revise form FL-303, FL-306, approve forms FL-302-INFO, FL-306-INFO, FL-308, and FL-309; revoke form FL-307 and replace with FL-307) (Action required – approval for circulation for comment)

Presenter: Gabrielle Selden

Item 21

Family Law: Income and Expense Declaration (revise form FL-150) (Action required – approval for circulation for comment)

Presenter: Gabrielle Selden

Item 22

Family Law: Transfer of Jurisdiction (adopt rule 5.97) (Action required – approval for circulation for comment)

Presenter: Tracy Kenny

Item 23

Juvenile Law: Decriminalization of Convictions Under Penal Code Section 647f (adopt forms JV-742 and JV-743) (Action required – approval for circulation for comment)

Presenter: Nicole Giacinti

Item 24

Juvenile Law: Vacatur of Convictions Related to Human Trafficking and Preservation of Extended Foster Care Eligibility (amend rules 5.812, 5.903, and 5.906; adopt rule 5.811; revise forms JV-320, JV-367, JV-462, JV-464, JV-466, JV-470, JV-472, JV-680, JV-682, and JV-683; approve forms JV-748 and JV-749) (Action required – approval for circulation for comment)

Presenter: Nicole Giacinti

Item 25

Juvenile Law: Electronic Filing and Service in Juvenile Court Matters (Implementation of AB 976) (amend rules 5.504, 5.522, 5.524, 5.534, 5.538, 5.565, 5.570, 5.590, 5.640, 5.695, 5.700, 5.726, 5.727, 5.728, and 5.906; adopt rule 5.523; revise forms EFS-005-JV/JV-141, JV-221, JV-282, JV-310, JV-326, JV-326-INFO, and JV-510) (Action required – approval for circulation for comment)

Presenter: Diana Glick

Item 26

Juvenile Law: School Notification of Delinquency Court Adjudication (amend form JV-690)
(Action required – approval for circulation for comment)

Presenter: Daniel Richardson

Item 27

Juvenile Law: Dependency Hearings—Continued Condensing of the Rules of Court (amend rules 5.678, 5.690, 5.695, and 5.708; repeal rule 5.526) (Action required – approval for circulation for comment)

Presenter: Kerry Doyle

Item 28

Juvenile Law: Intercounty Placements (amend rule 5.610; repeal and adopt rule 5.614; approve forms JV-555 and JV-556) (Action required – approval for circulation for comment)

Presenter: Kerry Doyle

Item 29

Juvenile Law: Guardianship Forms (revise forms JV-330 and JV-350) (Action required – approval for circulation for comment)

Presenter: Corby Sturges

INTERPRETERS

Item 30

Court Interpreters Advisory Panel (repeal and replace Rule of Court 2.891; adopt accompanying California Court Interpreter Credential Review Procedures) (Action required – approval for circulation for comment)

Presenter: Sonia Sierra Wolf and Rick Feldstein

PROBATE

Item 31

Probate Conservatorship: Major Neurocognitive Disorder (revise forms GC-310, GC-313, GC-333, GC-334, GC-335, GC-335A, GC-380, GC-385) (Action required – approval for circulation for comment)

Presenter: Corby Sturges

Item 32 (Deferred)

~~**Probate Guardianship: Response to Petition** (revise forms GC-211 and GC-212) (Action required – approval for circulation for comment)~~

~~Presenter: Corby Sturges~~

Item 33

Probate Guardianship and Conservatorship: Qualifications and Training of Appointed Counsel (amend rule 7.1101; revise forms GC-010 and GC-011) (Action required – approval for circulation for comment)

Presenter: Corby Sturges

PROTECTIVE ORDERS

Item 34 (Deferred)

~~**Protective Orders: Rules on Clots/Registration of Canadian Domestic Violence Protective Orders** (amend rule 1.51 and propose new form DV-630 to implement requirements of SB-204) (Action required – approval for circulation for comment)~~

~~Presenters: Greg Tanaka, Frances Ho, Sarah Abbott and Patrick O'Donnell~~

Item 35 (Deferred)

~~**Protective Orders: Protecting Information of People Under 18 Years Old** (Action required – approval for circulation for comment)~~

~~Presenters: Frances Ho, Patrick O'Donnell and Anne Ronan~~

TECHNOLOGY

Item 36

Technology: Rules Modernization Project (amend rules 2.250, 2.251, 2.255, and 2.257) (Action required – approval for circulation for comment)

Presenter: Andrea Jaramillo

Item 37

Technology: Remote Access to Electronic Records (adopt rules 2.515–2.528 and 2.540–2.545; amend rules 2.500–2.503) (Action required – approval for circulation for comment)

Presenter: Andrea Jaramillo

Item 38

Technology: Rules Modernization Project (adopt form EFS-006) (Action required – approval for circulation for comment)

Presenter: Andrea Jaramillo

TRIBAL COURT STATE COURT FORUM

Item 39

Indian Child Welfare Act: Waiver of Certain *Pro Hac Vice* Requirements for Attorneys Representing Tribes in Indian Child Welfare Act cases (amend rule 9.40) (Action required – approval for circulation for comment)

Presenter: Ann Gilmour

III. ADJOURNMENT

Adjourn